

REMARKS

Reconsideration and allowance of claims 11, 13-18 and 21-33 are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 11, 13-18, 21 and 30 are rejected under 35 U.S.C. §103(a) as being obvious over Hirschfeld et al (US 6,892,602) in view of Cooper (US 3,877,319).

Claims 22-25, 27, 28 and 31 are rejected under 35 U.S.C. §103(a) as being obvious over Hirschfeld in view of Pilatzki (US 4,368,454).

Claim 26 is rejected under 35 U.S.C. §103(a) as being obvious over Hirschfeld in view of Pilatzki, and further in view of Cooper.

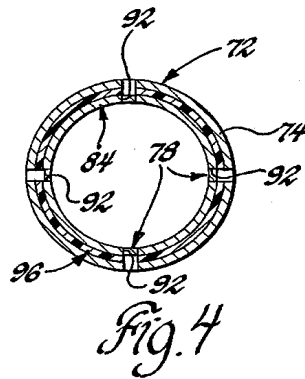
Claims 28 and 29 are rejected under 35 U.S.C. §103(a) as being obvious over Hirschfeld in view of Pilatzki, and further in view of Budaker (US 6,830,267).

Claim 32 is rejected under 35 U.S.C. §103(a) as being obvious over Hirschfeld in view of Cooper, and further in view of Wilson (US 6,131,481).

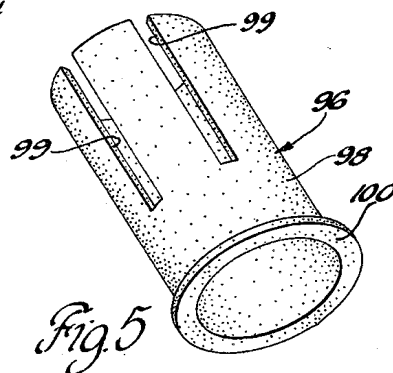
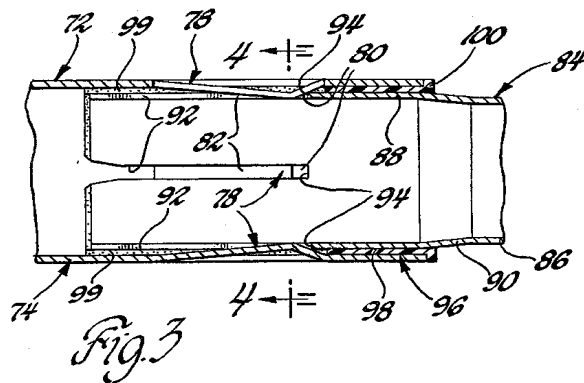
Claim 33 is rejected under 35 U.S.C. §103(a) as being obvious over Hirschfeld in view of Pilatzki, and further in view of Wilson.

Applicant submits that the combination of Hirschfeld and Cooper does not teach or suggest the elevation claimed in claim 11, which protrudes toward the casing tube in a substantially radial direction from a central portion of a first face of a first clamping jaw that faces the casing tube, contacts an outermost surface of the casing tube and centers the switch module.

The Office Action acknowledges that Hirschfeld does not disclose the elevation protruding from the clamping jaw as claimed in claim 11. Instead, it refers to the keys 78 (Fig. 4, reproduced below) of Cooper as corresponding to the claimed elevation.

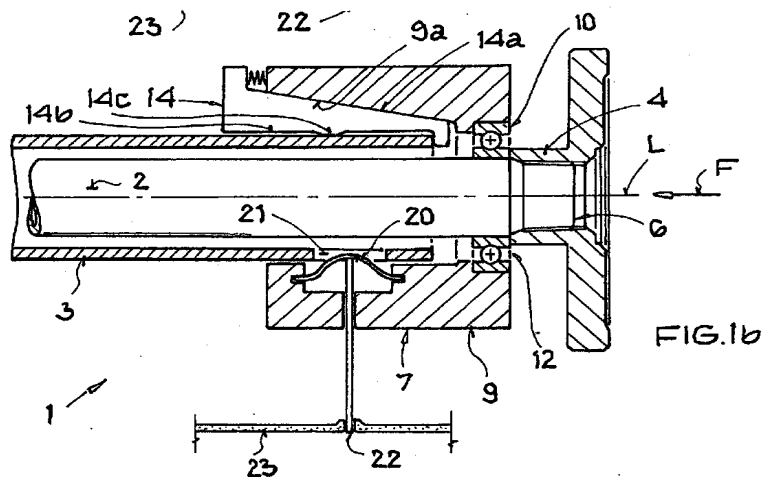


Cooper, however, does not teach or suggest that its keys 78 contact the outermost surface of the casing tube. Instead, as illustrated in Fig. 4 and more clearly in Fig. 3 (reproduced below), the keys 78 of the tube member 74 protrude into the sleeve bearing 96 and the tube member 84, without being in contact with the outermost surface thereof. See, e.g., col. 3, lines 34-36. Fig. 5 (reproduced below) of Cooper illustrates the slots 99 into which the keys protrude.



As described in Cooper, the keys 78 and the slots 92 cooperate in a coupling arrangement between the first and second tube members 74, 84 for unitary rotation while preventing relative axial telescopic collapse between the tube members. *Col. 3, lines 55-58*. There is no teaching or suggestion, however, that the keys 78 contact the outermost surface of the tube member 84. Moreover, it is by projecting into the inside of the tube member 84 via the sleeve bearing 96 that the keys 78 perform their intended functions of providing unitary rotation and preventing relative axial telescopic collapse between the tube members.

By contrast, as illustrated in Applicant's FIG. 1b (reproduced below), face 14b of clamping jaw 14 faces the casing tube 3 and elevation 14c protrudes from face 14b toward the casing tube 3. The elevation 14c contacts the outermost surface of the casing tube 3.



Therefore, claim 11 is patentable over the combination of Hirschfeld and Cooper.

Claims 13-18, 21 and 30 are patentable due to their dependence from claim 11.

Further, Applicant submits that the combination of Hirschfeld and Cooper does not teach or suggest that a second face of the first clamping jaw, which faces away from the casing tube and toward the stator, extends obliquely with regard to the longitudinal axis of the steering spindle, as claimed in claim 17. With regard to the limitations of claim 17, the Office Action only mentions the Hirschfeld patent and acknowledges that Hirschfeld does not disclose these limitations. Thus, the Office Action recognizes that the prior art does not disclose the limitations of claim 17.

The Office Action asserts that it would have been obvious to modify the teachings of Hirschfeld to include the limitations of claim 17 due to the “obliquely extending surfaces (where 3 and 5 meet close to 7, fig 1)” disclosed by Hirschfeld. *Page 5, lines 1-2.* Applicant disagrees. The portions of Hirschfeld’s structure that include the oblique surfaces are the steering shaft 3 and the steering wheel hub 5. These surfaces, however, are located at the connection point of the steering wheel bolt 4 to provide a connection surface for the steering shaft 3 when it is inserted onto the free face of the mounting sleeve 7 of the steering wheel hub 5 to secure the steering shaft with the bolt 4.

By contrast, the obliquely extending surface claimed in claim 17 is a surface of a clamping jaw, which is part of the centering device included in the switch module. As illustrated in FIG. 1b, for example, the obliquely extending

surface 14a of the clamping jaw 14 is part of the centering device 8, which is part of the switch module 7. As described in paragraph [0030] of the specification, by having the face 14a of the clamping jaw 14 extend obliquely to the longitudinal axis of the steering spindle 2, the stator 9 brings the clamping jaw 14 into contact with the casing tube 3. Thus, the oblique surfaces of Hirschfeld are located at a different part of the steering wheel structure and they perform a different function than the obliquely extending surfaces claimed in claim 17. Therefore, it would not have been obvious to one of ordinary skill in the art at the time of the invention to have modified Hirschfeld's disclosure to have the oblique surfaces claimed in claim 17.

Claim 18, which depends directly from claim 17 is patentable over the combination of Hirschfeld and Cooper for reasons analogous to those for claim 17.

Additionally, Hirschfeld and Cooper do not teach or suggest that "the first face of the clamping jaw is spaced apart from the outermost surface of the casing tube based upon an amount of protrusion of the elevation from the first face of the first clamping jaw," as claimed in claim 30. As described above, although the Office Action relies on the keys 78 of the tube member 74 disclosed by Cooper as corresponding to the elevation, the keys 78 do not correspond to the claimed elevation. Moreover, the spacing between the face of the clamping jaw and the outermost surface of the casing tube is not based on the amount of protrusion of the keys 78 from the tube member 74.

As described above, the keys protrude into the sleeve bearing 96 and the tube member 84. Further, this protrusion does not determine the space between the tube member 74 and the tube member 84. Rather, it is the thickness of the sleeve bearing 96 that determines this spacing. *See Fig. 3.*

Therefore, claim 30 is patentable over the combination of Hirschfeld and Cooper for this additional reason.

Applicant submits that the combination of Hirschfeld and Pilatzki does not teach or suggest “a leaf spring, which is separate from the casing tube, engages in a cut-out of the casing tube and is fastened in a recess in an inner wall of the stator,” as claimed in claim 22. The Office Action acknowledges that Hirschfeld does not disclose the leaf spring of claim 22, but asserts that Pilatzki discloses it. In particular, the Office Action points to the leaf spring 11 shown in FIG. 5 of Pilatzki, a portion of which projects into a recess 14 of the bottom of the dished impact plate 2. Pilatzki’s leaf spring 11, however, is not fastened in a recess in an inner wall of the stator, as required by claim 22. Instead, the leaf spring 11 is attached to the outside of the stationary component 8. Accordingly, Pilatzki fails to disclose the leaf spring arrangement claimed in claim 22.

Moreover, the attachment of the leaf spring disclosed by Pilatzki is completely different from what is claimed by the Applicant. Incorporating Pilatzki’s leaf spring 11, which is attached to the outside of the stationary component 8, into the teachings of Hirschfeld would only lead to the predictable result of having a leaf spring attached to the outside of Hirschfeld’s bracket 11.

By contrast, having a leaf spring fastened in a recess in an inner wall of the stator, as claimed in claim 22, would be an unexpected result.

Therefore, claim 22 is patentable over the combination of Hirschfeld and Pilatzki.

Claims 23-25, 27, 28 and 31 are patentable over Hirschfeld and Pilatski due to their dependence from claim 22.

Also, claims 24 and 25 are further patentable for reasons analogous to those for claims 17 and 18.

Claim 26 is patentable over the combination of Hirschfeld, Pilatski and Cooper due to its dependence from claim 22 and because Cooper fails to make up for the above-identified deficiencies of Hirschfeld and Pilatski.

Claims 28 and 29 are patentable over the combination of Hirschfeld, Pilatski and Budaker due to their dependence from claim 22 and because Budaker fails to make up for the above-identified deficiencies of Hirschfeld and Pilatski.

Claim 32 is patentable over the combination of Hirschfeld, Cooper and Wilson due to its dependence from claim 11 and because Wilson fails to make up for the above-identified deficiencies of Hirschfeld and Cooper.

Claim 33 is patentable over the combination of Hirschfeld, Pilatski and Wilson due to its dependence from claim 22 and because Wilson fails to make up for the above-identified deficiencies of Hirschfeld and Pilatski.

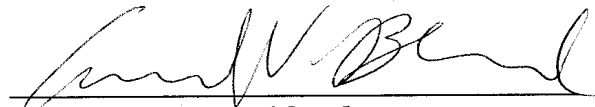
In view of the foregoing, Applicant submits that the application is in condition for allowance and such action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323, Docket No. 095309.56366US.

Respectfully submitted,

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